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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,628	09/22/2003	Mats A. Brenner	Honeywell No. H0004494	1190

128 7590 11/23/2004

HONEYWELL INTERNATIONAL INC.  
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EXAMINER
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MULL, FRED H

ART UNIT	PAPER NUMBER
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3662

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/667,628

Applicant(s)

BRENNER, MATS A.

Examiner

Fred H. Mull

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 20-22 is/are allowed.  
6) ☒ Claim(s) 1 and 11 is/are rejected.  
7) ☒ Claim(s) 2-10 and 12-19 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 11-3-2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11-3-2004  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

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### *Response to Arguments*

1. Applicant's arguments on section IIA, with respect to the rejection(s) of claim 1 over Comp and Ray have been fully considered but they are not persuasive.

Applicant argues that multipath errors, as disclosed by Comp and Ray, are not the same as the low power error referred to in the claim. However, in the specification, p. 7, lines 12-14, it states: "A low power condition may be caused ... because the signal itself is weak (e.g., where the satellite signal has been blocked or deflected by atmospheric or terrestrial conditions)" (emphasis added). In multipath, the direct path signal is weak due to interference due to the deflection of the signal. Thus, multipath error is encompassed by the definition of low power error in applicant's disclosure.

2. Applicant's arguments on section IIB have been fully considered. Claim 11 remains rejected, claims 20-22 are now allowed, and claims 2-10 and 12-19 are now objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by  
Comp.

Comp discloses receiving at least one global positioning satellite radio signal;  
determining a signal-to-noise ratio of the satellite radio signal; and calculating from the  
signal-to-noise ratio a low-power condition error contribution (particularly p. 264, 2<sup>nd</sup> col.,  
4<sup>th</sup> ¶ to p. 265, 2<sup>nd</sup> ¶), where the GPS signal is a navigation signal.

4. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by  
Ray.

Ray discloses receiving at least one global positioning satellite radio signal;  
determining a signal-to-noise ratio of the satellite radio signal; and calculating from the  
signal-to-noise ratio a low-power condition error contribution (particularly p. 183, 2<sup>nd</sup> col.,  
3<sup>rd</sup> ¶; p. 186, 3<sup>rd</sup> ¶ to 8<sup>th</sup> ¶), where the GPS signal is a navigation signal.

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5. Claims 1 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by IDS document Mutoh.

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Mutoh discloses receiving at least one global positioning satellite radio signal; determining a signal-to-noise ratio of the satellite radio signal; and calculating from the signal-to-noise ratio a low-power condition error contribution (col. 4, line 33 to col. 5, line 12), where the GPS signal is a navigation signal.

6. The examiner also finds the following reference(s) relevant, but not prior art:  
IDS document Butsch.

***Allowable Subject Matter***

7. Claim(s) 20-22 is/are allowed.
8. Claim(s) 2-10 and 12-19 is/are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred H. Mull whose telephone number is 703-305-1250. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H Tarcza can be reached on 703-360-4171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred H. Mull  
Examiner  
Art Unit 3662

fhm

  
THOMAS H. TARCZA  
SUPERVISORY PATENT EXAMINER  
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